

CAVANAGH & ASSOCIATES, P.C.  
727 Raritan Road (Suite 202-A)  
Clark, New Jersey 07066  
T (732)882-1333  
F (732)882-1007  
ATTORNEY FOR DEFENDANT FILIP GROZEA

-----X  
UNITED STATES  
Plaintiff,  
v.  
FILIP GROZEA,  
Defendant.  
-----X

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CASE No. 05-CR-0071 (JBW)

CRIMINAL ACTION

TO: CLERK OF THE ABOVE-NAMED COURT **THIS MOTION WILL BE HEARD**  
HON. JACK B. WEINSTEIN, U.S.D.J. **5/30/06 AT 10:30a.m. THE DEFT.**  
**IS TO BE PRESENT IN COURT.**  
ASSISTANT U.S. ATTORNEY JOHN A. NATHANSON  
OFFICE OF THE UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK  
147 PIERREPONT STREET  
BROOKLYN, N.Y. 11201  
ATTORNEY FOR PLAINTIFF UNITED STATES

ST [unclear]  
ASAP  
JW 5/29/06

NOTICE OF EMERGENT MOTION  
=====

[FOR AN ORDER ADJOURNING AND  
RESCHEDULING DEFENDANT'S SELF-SURRENDER  
DATE TO THE FEDERAL BUREAU OF PRISONS FROM  
MAY 31, 2006, TO JUNE 09, 2006]

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[TELEPHONIC ORAL ARGUMENT IS REQUESTED SHOULD  
THE UNITED STATES FILE AN ANSWER OPPOSING  
THE INSTANT MOTION]

[A SELF-SURRENDER DATE OF MAY 31, 2006 HAS BEEN SET]

TO WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that on a date and time to be set by the  
Clerk of the Court the undersigned defendant, appearing by and  
through its attorney CAVANAGH & ASSOCIATES, P.C., will move before  
the Hon. Jack B. Weinstein, Sr. U.S.D.J. at a Motions Term of the  
Court, at the Courthouse, located at the United States Courthouse,

f

Brooklyn, N.Y. for an order granting in all respects the relief as is set forth and described above.

The order sought will be entered in the discretion of the court unless the United States Attorney upon whom the motion is served notifies the clerk of the court and the above attorney for the defendant in writing within ten (10) after the date of service of the motion that the responding party objects to the entry of the order.

Your written response must be in the form of a written certification or affidavit. You may ask for oral argument, which means you can ask to appear before the court to explain your position. If the court grants oral argument, you will be notified of the date, time and place. Your response, if any, must be in writing even if you request oral argument. Any papers you send to the court must also be sent to the defendant's attorney.

No pre-filing conference was held with the Office of the United States Attorney (AUSA John Nathanson).

Dated: MAY 19, 2006

Respectfully,

CAVANAGH & ASSOCIATES, P.C.

By: 

GLENN L. CAVANAGH, ESQ.

ATTORNEY FOR DEFENDANT

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UNITED STATES  
Plaintiff,  
v.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CASE No. 05-CR-0071 (JBW)

FILIP GROZEA,  
Defendant.  
-----X

CRIMINAL ACTION

**CERTIFICATION OF GLENN L. CAVANAGH, ESQ.  
IN SUPPORT OF EMERGENT MOTION**

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Glenn L. Cavanagh, Esq., an attorney at law licensed in the State of New Jersey, does say that:

1. I am the attorney for FILIP GROZEA ("defendant"), defendant in the above entitled action; I am fully familiar with the facts and circumstance of this matter. I am filing this statement in support of the annexed emergent motion.

2. Defendant is presently on post-sentencing bail with a self-surrender date to the federal bureau of prisons ("BOP") of May 31, 2006; defendant has not yet received notice from the BOP as to which federal facility he has been designated.

3. No direct appeal was filed by defendant.

4. In January, 2006, defendant initiated a series of extensive dental and orthodontic work which was anticipated to be completed no later than May 31, 2006. This completion date has been delayed and extended to no later than June 09, 2006, as is explained in set forth in the accompanying statement dated May 19, 2006, from defendant's physician, Dr. E. Mitchell Greenstone,


D.D.S.

5. Based on the medical statements and reasons set forth in Dr. Greenstein's letter, it is respectfully requested that defendant's self-surrender date to the BOP be adjourned from May 31, 2006, to and including June 09, 2006.

6. A prior, related adjournment request was consented to by the United States and granted by this Court, which adjourned the self-surrender date from March 30, 2006, to May 31, 2006, based on the same medical circumstances raised herein.

7. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: MAY 22, 2006



GLENN L. CAVANAGH, ESQ.

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE  
=====

I, THOMAS DELGUERCIO, do herein certify that on the 22nd  
day of MAY, 2006, I did transmit the enclosed MOTION,

TO:  
ASSISTANT U.S. ATTORNEY JOHN A. NATHANSON  
OFFICE OF THE UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK  
147 PIERREPONT STREET  
BROOKLYN, N.Y. 11201  
ATTORNEY FOR PLAINTIFF UNITED STATES

Via first-class US mail in a sealed envelope and that if any of the  
foregoing statements is willfully false I am subject to punishment.

  
THOMAS DELGUERCIO

Dated: MAY 22, 2006

May 19 06 12:34p I.F.

May 19 2006 12:31PM E.Mitchell Greenstone, DD 1 212 245 8337  
212-452-2567

p.1  
P.1

E. Mitchell Greenstone, D.D.S.  
925 Fifth Avenue Ste 1C  
New York, NY 10021  
(212) 734-3421

May 19, 2006

RE: Grozea, Filip

To Whom It May Concern:

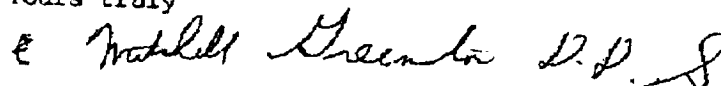
Although it was initially planned that all dental work would be completed by the first week of May, 2006 various dental lab issues arose requiring work to be re-done to achieve an optimal level of fit.

Based on the current condition, Mr. Grozea's remaining dental work will be completed no later than June 9, 2006.

This additional time is medically necessary and required to insure a successful result in terms of function and health: Mr. Grozea's dental function and health will be jeopardized should the remaining work not be completed and permanently inserted, before Mr. Grozea leaved the country.

Thank you in advance.

Yours truly



E. Mitchell Greenstone D.D.S.